

Message Text

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ORIGIN ARA-10

INFO OCT-01 ISO-00 L-03 SCS-03 SCA-01 SS-15 PRS-01 SNM-02
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DRAFTED BY ARA/AND/B - MR. LEVINE:LEE

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FM SECSTATE WASHDC

TO AMEMBASSY LA PAZ IMMEDIATE

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FOR AMBASSADOR FROM ACTING ASSISTANT SECRETARY LUERS

E.O. 11652: N/A

TAGS: CASC, BL

SUBJECT: AMERICAN PRISONERS IN BOLIVIA

REFS: (A) STATE 011286; (B) LA PAZ 478; (C) LA PAZ 544

1. DEPARTMENT APPRECIATES YOUR PROMPT AND THOUGHTFUL RESPONSE TO REF A. FOLLOWING IS GENERAL GUIDANCE ON THE TRIP, PLUS ANSWERS TO THE SPECIFIC QUESTIONS POSED IN REF B.

2. THE DEPARTMENT PLANS NO PUBLICITY ABOUT THE TRIP. WE DO NOT BELIEVE THAT PUBLICITY WOULD SERVE ANY CONSTRUCTIVE PURPOSE. WE HAVE BEEN INFORMED THAT JACK ANDERSON IS PREPARING ANOTHER COLUMN TO REPORT ON THE PARENTS' MEETINGS IN THE DEPARTMENT, AND HAVE ASKED ANDERSON NOT TO PUBLISH THE LIMITED OFFICIAL USE

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COLUMN UNTIL AFTER THE TEAM HAS DEPARTED. WE ARE TOLD THAT ANDERSON'S COLUMN WILL ALLEGE THAT THE TEAM HAS A THREE-FOLD PURPOSE: (1) TO INTERVIEW PRISONERS TO DETERMINE WHETHER SUBSTANTIAL DENIAL OF HUMAN AND CIVIL RIGHTS HAS OCCURED, (2) TO INVESTIGATE CHARGES OF IMPROPER CONDUCT ON THE PART OF DEA AGENTS, AND (3) TO INVESTIGATE THE ALLEGED FAILURE BY THE EMBASSY TO GIVE ADEQUATE ATTENTION TO US CITIZEN WEL-

FARE AND PROTECTION. DEPARTMENT OFFICERS AT NO TIME DURING THE MEETINGS WITH THE PARENTS GROUP INDICATED THAT THE PURPOSE OF THE TRIP INVOLVED EITHER OF THE SECOND TWO OBJECTIVES

CITED BY ANDERSON.

3. THE PURPOSE OF THE VISIT, WHICH YOU SHOULD COMMUNICATE TO THE MINISTER OF INTERIOR AS SOON AS POSSIBLE, IS TO INFORM OURSELVES FULLY AS TO THE PHYSICAL AND LEGAL SITUATION OF THE US CITIZEN PRISONERS. THERE IS A WIDESPREAD VIEW IN THE US AMONG SOME INTERESTED PARTIES THAT THE NEW LAW HAS NOT ENTERED INTO EFFECT AS YET, AND THAT IT WILL BE OF LITTLE ASSISTANCE TO MANY OF THE PRISONERS WHEN IT DOES TAKE EFFECT. THE TEAM WILL BE INTERESTED IN THE MATTER OF PROMULGATION OF THE NEW LAW, AS WELL AS IN THE DEGREE TO WHICH THIS REVISED LAW WILL AFFECT THE STATUS OF US CITIZEN PRISONERS. THE TEAM IS PLANNING TO INTERVIEW EACH PRISONER AND DISCUSS HIS OR HER SITUATION FULLY. AN APPROPRIATE EMBASSY OFFICER SHOULD PARTICIPATE IN ALL SESSIONS. THE TEAM IS NOT PLANNING MEETINGS WITH GOB OFFICIALS. SHOULD YOU SEE SOME ADVANTAGE IN SUCH MEETINGS, OR SHOULD ANY GOB OFFICIALS WISH TO TALK WITH THE TEAM, THE TEAM WOULD BE AVAILABLE TO MEET WITH OFFICIALS OF THE MINISTRY OF INTERIOR OR OTHER APPROPRIATE GOB FUNCTIONARIES YOU MAY LEAVE A DIPLOMATIC NOTE OR AIDE MEMOIRE SUMMARIZING THIS PARAGRAPH WITH THE FOREIGN MINISTRY.

4. IN YOUR DISCUSSION WITH THE MINISTER OF INTERIOR, YOU MAY RAISE THE SUBJECT OF DEPORTATION IN THE CONTEXT THAT LIMITED OFFICIAL USE

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YOU UNDERSTAND THAT THE PARENTS HAVE ASKED AMBASSADOR CRESPO TO CONSIDER THIS AND YOU WOULD LIKE THE MINISTER TO BE AWARE. WE HAVE MADE IT CLEAR TO THE PARENTS THAT THE USG CANNOT OFFICIALLY ASK THE GOB TO DEPORT THE PRISONERS BUT THAT WE WOULD NOT OBJECT SHOULD THE GOB OFFER TO DEPORT THEM.

5. WE WILL, AS YOU SUGGEST, HAVE THE TEAM LEADER REQUEST AN INTERVIEW WITH AMBASSADOR CRESPO TO EXPLAIN THE TRIP AS SOON AS POSSIBLE. WE DOUBT THAT THERE WILL BE SUFFICIENT TIME TO SEND SOMEONE TO LA PAZ BEFORE THE 29TH. HOWEVER, NEWLY-ARRIVED CONSULAR OFFICER ROBERT BLOHM SHOULD BE ABLE TO PROVIDE YOU WITH USEFUL PERSPECTIVES ON THIS ISSUE, DUE TO HIS ATTENDANCE AT BOTH OF OUR RECENT MEETINGS WITH THE PARENTS.

6. WE UNDERSTAND THE MINISTER OF INTERIOR'S PROBLEM (REF C) WITH AN OFFICIAL USG MISSION POKING INTO INTERNAL BOLIVIAN MATTERS. NOW THAT YOU KNOW THE FULL SCOPE OF THE

TEAM'S WORK, I HOPE THAT IT IS CLEAR THAT WHILE THE TEAM
-- UPON ITS RETURN -- MAY RECOMMEND ACTIONS TO ENCOURAGE
MORE RAPID LEGAL PROCESSING OF THE PRISONERS' CASES BY
THE GOB, THE MAJOR GOAL OF THE VISIT ITSELF WILL BE TO

INVESTIGATE SERIOUS INTERNAL USG CONCERNS. WE WANT TO
DEMONSTRATE THE SERIOUSNESS WITH WHICH THE DEPARTMENT AND
THE EMBASSY TAKE OUR RESPONSIBILITIES FOR THE PROTECTION
OF AMERICAN CITIZENS AND FOR PURSUING WITH OTHER GOVERN-
MENTS EFFECTIVE ANTI-NARCOTICS PROGRAMS.

7. THE TEAM IS TENTATIVELY SCHEDULED TO DEPART ON SATUR-
DAY, JANUARY 29 AND TO BEGIN WORK ON JANUARY 31. THEY
PLAN TO SPEND THREE DAYS IN LA PAZ INTERVIEWING PRISONERS,
FOLLOWED BY TWO DAYS IN SANTA CRUZ AND ONE DAY IN COCHA-
BAMBA. PLEASE ADVISE WHETHER TRANSPORTATION ARRANGEMENTS
MAY BE WORKED OUT TO ALLOW THIS SCHEDULE. WE WOULD PLAN
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TO INTERVIEW EACH PRISONER, DEPENDING UPON HIS OR HER
WISHES, FOR APPROXIMATELY THIRTY MINUTES TO ONE HOUR. THE
TEAM WOULD DEPART LA PAZ ON OR ABOUT FEBRUARY 7. THE TEAM
WILL BE COMPOSED OF SAM MOSKOWITZ, WHO WILL BE TEAM LEADER,
ROBERT PACE, LOUIS FIELDS, FRANK STEVENS AND GORDON
BALDWIN. MR. MOSKOWITZ IS THE FORMER DCM IN SAN SALVADOR
AND IS A SENIOR ARA OFFICER. MR. PACE, THE BOLIVIA DESK
OFFICER, WILL BE THE WORKING-LEVEL ARA REPRESENTATIVE.
MR. FIELDS WILL SERVE AS LEGAL ADVISER TO THE TEAM. MR.
STEVENS WILL BE CONSULAR AFFAIRS ADVISER TO THE TEAM.
MR. BALDWIN, FORMERLY COUNSELOR FOR INTERNATIONAL LAW IN L,
IS A PROFESSOR AT THE UNIVERSITY OF WISCONSIN, SPECIALIZING
IN INTERNATIONAL CRIMINAL LAW. THE TEAM, AS YOU CAN SEE,
IS COMPOSED OF SPECIALISTS IN THE AREAS UNDER STUDY. MR.
BALDWIN HAS BEEN CHOSEN TO ADD NON-DEPARTMENT OBJECTIVITY,
IN PART AS A RESPONSE TO THE FEELING OF SOME OF THE
PARENTS THAT A CONGRESSIONAL STAFFER AND A REPRESENTATIVE
OF THE PARENTS SHOULD HAVE BEEN INCLUDED.

8. (PLEASE LET ME KNOW AS SOON AS POSSIBLE WHETHER WE
SHOULD GO AHEAD WITH THIS TRIP AS OUTLINED.)

VANCE

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